AO 455(Rev. 5/85) Waiver of Indictment

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

FILED
APR 3 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES OF AMERICA

v.

FLAVIO SIMON-HERNANDEZ (2)

WAIVER OF INDICTMENT

CASE NUMBER: 08cr995-BTM

I, FLAVIO SIMON-HERNANDEZ, the above named defendant, who is accused of committing the following offense:

Title 8, U.S.C., Sec. 1326(a) and (b) - Attempted Entry After Deportation (Felony),

being advised of the nature of the charge(s), the proposed information, and of my rights, hereby waive in open court on 4/3/08 prosecution by indictment and consent that the proceeding may be by information rather than by indictment.

Defendant

Counsel for Defendant

Before ______________________
JUDICIAL OFFICER